



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/921,051	08/02/2001	Andrew Bell	19800448

CONFIRMATION NO. 8076

FORMALITIES LETTER



OC00000007497085

Nestor W. Shust
Hudak & Shunk Co., L.P.A.
Suite 808
7 West Bowery St.
Akron, OH 44308-1138

RECEIVED

FEB 25 2002

HUDAK & SHUNK CO., L.P.A.

Date Mailed: 02/19/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

04/22/2002 AOSMAN1 00000087 09921051

01 FC:122

130.00 OP

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 175 to 182 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

04/22/2002 AOSMAN1 00000022 09921051

01 FC:105

130.00 OP

Void date: 04/22/2002 AOSMAN1
04/22/2002 AOSMAN1 00000022 09921051
01 FC:105 130.00 OP

A copy of this notice MUST be returned with the reply.

N*
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

208740-15012660



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 1980044C

Anticipated Classification of
this application:

Class: Subclass:

Prior Application: 09/456,780

Examiner: R. Rabago

Art Unit: 1711

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53(b), of pending prior application Serial No. 09/456,780, filed on 12/08/99, of Andrew Bell et al., for IN MOLD ADDITION POLYMERIZATION OF NORBORNENE-TYPE MONOMERS USING GROUP 10 METAL COMPLEXES.

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).
 - a. ☒ Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☒ The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, PLUS OR MINUS
ANY CLAIMS ADDED OR CANCELLED BY ANY AMENDMENTS NOTED BELOW

RECEIVED

MAY 20 2002

OFFICE OF PETITIONS

SMALL ENTITY/LARGE ENTITY

Total Claims 46 - 20 = 26 x \$9.00/\$18.00 = \$ 468.00
Independent Claims 4 - 3 = 1 x \$40.00/\$80.00 = \$ 80.00
Multiple dependent claims: 0
if any, add surcharge of + \$135.00/\$270.00 \$ 0.00
Basic fee: \$355.00/\$710.00 \$ 710.00

TOTAL FILING FEE: \$ 1,258.00

3. ☒ The Commissioner is hereby authorized to charge any fee deficiency which may be required, or credit any overpayment to Account No. 08-3150. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$ 1,258.00 is enclosed.
5. ☒ Cancel in this application original Claims 1-31 of the prior application before calculating the filing fee (at least one original independent claim must be retained for filing purposes) so that only Claims 32-77 remain in this application.
6. ☒ Amend the specification by inserting before the first line the following:

--CROSS-REFERENCE

This is a division of application Serial No. 09/456,780, filed on 12/08/99, of Andrew Bell et al., for IN MOLD ADDITION POLYMERIZATION OF NORBORNENE-TYPE MONOMERS USING GROUP 10 METAL COMPLEXES, which claims benefit to U.S. Provisional Application 60/111,585 filed 12/09/98.- -

7. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by a person authorized by Rule 138 and before payment of the Base Issue Fee.)
- 7a. ☒ Photocopies of the formal drawings from the prior application are enclosed.

8. ☐ Priority of application Serial No. _____ filed
on _____ in (country) is claimed under 35
USC §119.

8a. ☐ The certified copy has been filed in prior application Serial No. _____ filed
_____.

9. ☒ The prior application is assigned of record to The B.F. Goodrich Company, said Assignment
recorded on February 14, 2000, at Reel 010591, Frame 0818.

10. ☒ The power of attorney in the prior application is to Thoburn T. Dunlap, Reg. No. 31,246;
Brian M. Kolkowski, Reg. No. 36,847; and Valerie L. Calloway, Reg. No.
40,546.

☒ Please recognize as Associate Attorneys: Nestor W. Shust, Reg. No. 23,034; Daniel J.
Hudak, Reg. No. 25,879; Laura F. Shunk, Reg. No. 31,423; Frank C. Rote, Reg.
No. 20,395; Michele M. Tyrpak, Reg. No. 42,192; Cheryl L. Farine, Reg. No.
36,796 and Daniel J. Hudak, Jr., Reg. No. 47,669, all of which were added to
Serial No. 09/456,780 per the attached copy of Associate Power of Attorney and
Change of Address which was submitted on July 24, 2001.

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior
application is enclosed.

c. ☒ Address all future communications to:

Nestor W. Shust
Hudak & Shunk Co., L.P.A.
7 West Bowery St., Suite 808
Akron, OH 44308-1138
Phone: 330-535-2220

11. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been
properly numbered consecutively beginning with the number next following the
highest numbered original claim in the prior application.)

12. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No.
09/456,780 as originally filed on 12/08/99.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3/2/01
(Date)

Nestor W. Shust
Nestor W. Shust

Address of signator:

HUDAK & SHUNK CO., L.P.A.
7 West Bowery Street
Suite 808
Akron, OH 44308-1133

☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or Agent of Record
☐ Filed under Rule 34(a)

Telephone: 330-535-2220

Attorney Docket: 1980044C (DIV)



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s): Andrew Bell et al.

Examiner:

Serial No.: 09/921,051

Group Art Unit: 1713

Filed: August 2, 2001

Date: April 9, 2002

For: **IN MOLD ADDITION POLYMERIZATION OF NORBORNENE-TYPE
MONOMERS USING GROUP 10 METAL COMPLEXES**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

Sir:

The undersigned hereby certifies that the attached **PETITION UNDER 37 C.F.R. 1.17(h), CHECK #12792 FOR \$130.00, COPIES OF THE NOTICE OF MISSING ITEMS, PAGES 175-182 OF SPECIFICATION, COVER LETTER, AND POSTCARD RETURNED FROM USPTO** was mailed to the Assistant Commissioner of Patents, Washington, D.C. 20231, with sufficient first-class postage, no special handling, on April 9, 2002, before 5:00 PM, thereby ensuring that such document(s) will be in the hands of the U.S. Postal Service by the close of business this day.

Respectfully submitted,

HUDAK & SHUNK CO., L.P.A.

By:


Joyce M. Spencer

7 W. Bowery St., Suite 808
Akron, OH 44308-1133
330-535-2220
Attorney Docket No. 1980044B-DIV

enclosures: Return Postcard

Petition Under 37 C.F.R. 1.17(h)

Check No. 12792 for \$130.00

Copies of: Notice of Missing Items
Pages 175-182 of Specification
Cover Letter
Postcard returned from USPTO

0991051-044800